

PUBLIC SAFETY COMMITTEE

09-008-O

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 34-1 OF THE DULUTH CITY
CODE, 1959, AS AMENDED.

BY COUNCILOR CUNEO:

The city of Duluth does ordain:

Section 1. That Section 34-1 of the Duluth City Code, 1959, as amended,
be amended to read as follows:

Sec. 34-1. Curfew~~--minors under 16 years of age.~~

(a) Prohibited acts;

(1) No minor under the age of 16 years between the
hours of 11:00 p.m. and 5:00 a.m. of the following day and no minor,
age 16 or 17 years between the hours of 12:01 a.m. and 5:00 a.m. of
the same day shall loiter, idle, wander, stroll or play in or upon
the public streets, highways, roads, alleys, parks, playgrounds,
wharves, docks or other public grounds, public places and public
buildings, places of amusement and entertainment, vacant lots or
other unsupervised places ~~between the hours of 11:00 p.m. and 5:00~~
~~a.m. of the following day~~; provided, that the provisions of this
Section shall not apply to a minor accompanied by his parent,
guardian or other adult person having the care and custody of the
minor or where the minor is upon an emergency errand or legitimate
business directed by his parent, guardian or other adult person
having the care and custody of the minor. Any minor violating the
provisions of this Section shall be dealt with in accordance with
juvenile court law and procedure;

(2) No minor under the age of 18 years of age shall
misrepresent his or her age for the purposes of defeating the lawful
application of subsection (a)(1) of this Section.

Section 2. That this ordinance shall take effect 30 days after its passage and publication.

Approved:

Approved for presentation to council:

Department Director

Chief Administrative Officer

Approved as to form:

Approved:

Attorney

Auditor

POLICE/ATTY CWS:cjk 6/2/2009

STATEMENT OF PURPOSE: The original curfew language failed to address minors who are 16 and 17 years of age. To discourage minors from misrepresenting their age for the purpose of defeating curfew restrictions, Section 34-1(a)(2) has been added.